

TABLE 1

GRANDFATHERS' OCCUPATION OF COUNCILORS HOLDING OFFICE, 1590-1650

| | |
|---|-------|
| Bourgeois | 40.8% |
| Judicial or Admin. Officers in Provinces | 13.6% |
| Officers in the King's or Queen's Household | 9.2% |
| Avocat | 7.6% |
| Judge on the Courts of Accounts or Aides | 6.0% |
| Municipal Official | 4.9% |
| Royal Financial Officer | 4.4% |
| Auxilliary Legal Official (Notaire, Huissier, etc.) | 4.3% |
| Other | 5.4% |

Reporting Ratio 79% 79%

FIGURE 1:

OFFICE: COUNCILOR (IAY) 1590-1650
YEARS OF SERVICE

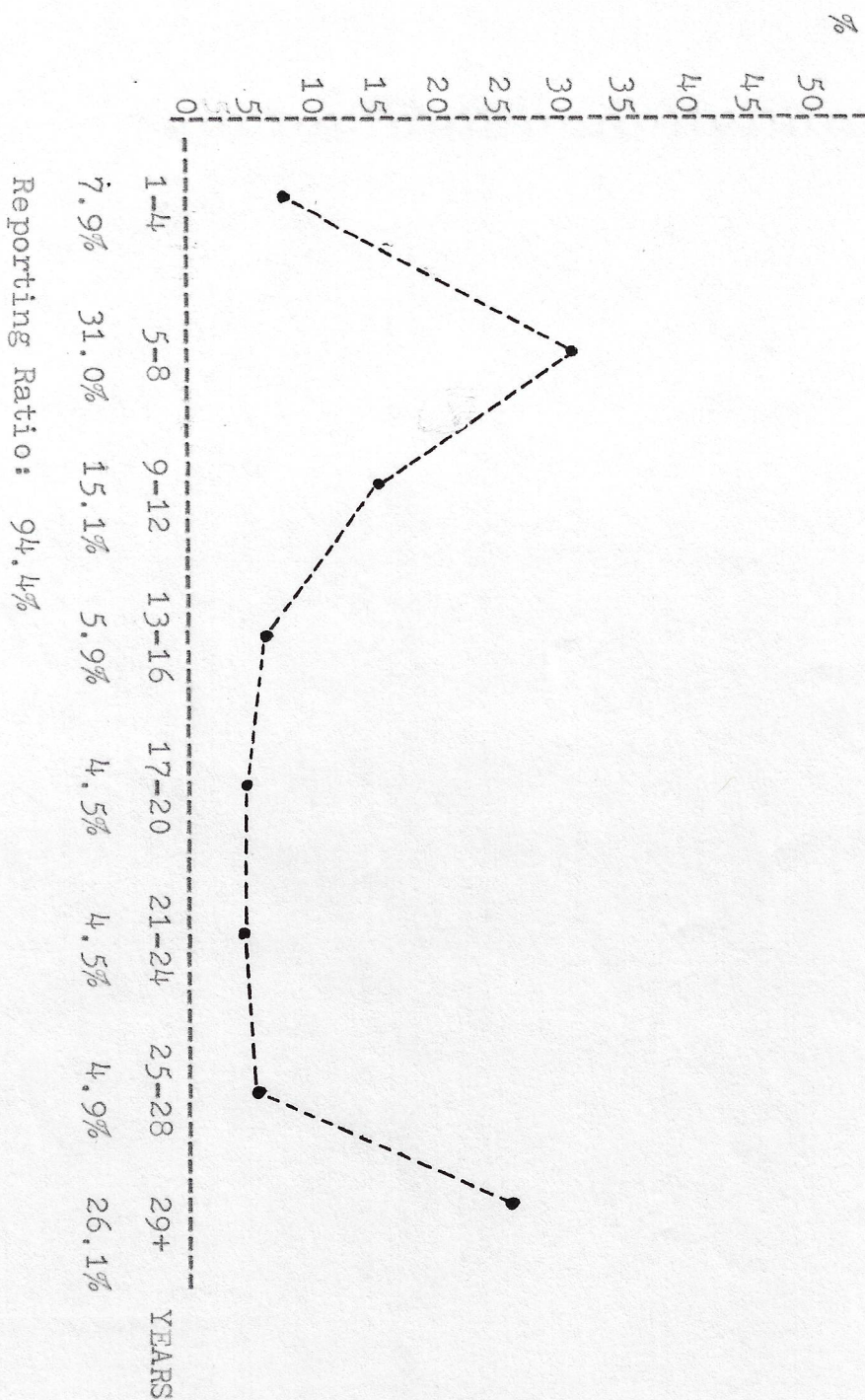


TABLE 2

COUNCILORS: PROFILE OF RESIGNEES BY FAMILY SERVICE IN PARLEMENT

| GENERATIONS IN PARIS PARLEMENT | FIRST | 2nd GEN. | 3rd GEN. | 4th GEN. |
|----------------------------------|-------|----------|----------|----------|
| RESIGNED AFTER 5 TO 8 YEARS | 42.2% | 25.3% | 17.1% | 11.4% |
| GENERAL PROFILE OF THE PARLEMENT | 54.3% | 29.5% | 11.1% | 5.0% |

TABLE 3

HIGHEST CAREER ACHIEVEMENTS OF PARISIAN MAGISTRATES, 1590-1650

| | Those Who Resigned After 5 to 8 Years In The Parlement | All Other Magistrates In Parlement |
|--|--|--|
| Offices | | |
| Councillors | 20.3%* | 65.5% |
| Masters of Requests | 32.7% | 10.3% |
| Presidents in the Parlement of Paris | 9.2% | 12.1% |
| First or à mortier Presidents in Prov. | 5.9% | 1.1% |
| Ambassadors | 5.9% | 0.6% |
| Bishops | 1.3% | 0.9% |
| Pres. in Courts of Accounts and Aides | 6.5% | 2.9% |
| Appointive State Offices | 9.8% | 2.1% |
| Others | 8.5% | 4.6% |

*Magistrates represented in this percentage include those who resigned and retired from active political life, those who purchased another parlementaire post (i.e., selling a lay and acquiring a clerical office), those who sold their office and next purchased a position of lower status, and, finally, those who died.

TABLE 4:

PRESIDENTS' RECORD OF FAMILY SERVICE IN PARIS PARLEMENT

1590-1650

Pres

| | First to Serve | One Gen. | Two Gens. | Three Gens. | Four or More Gens. | |
|------------------------|-------------------|-------------|--------------|----------------|-----------------------|------|
| Presidents of Requests | 7 | 6 | 5 | --- | --- | (18) |
| Presidents of Inquests | 23 | 9 | 6 | 1 | --- | (39) |
| Presidents à mortier | 5 | 12 | 6 | 3 | 1 | (27) |
| TOTALS | 35 | 27 | 17 | 4 | 1 | (84) |
| | 41.7% | 32.1% | 20.2% | 4.8% | 1.2% | 100% |

FOOTNOTES

¹Roger Doucet, Les Institutions de la France au XVI^e siècle (Paris, 1948), 1: 168.

²William F. Church, "The Decline of the French Jurists as Political Theorists," French Historical Studies 5(1967): 2-6; Donald R. Kelley, Foundations of Modern Historical Scholarship: Language, Law, and History in the French Renaissance (New York, 1970), pp. 242-49, 306-09; George Huppert, The Idea of Perfect History: Historical Erudition and Historical Philosophy in Renaissance France (Urbana, Ill, 1969), pp. 170-82.

³Evidence on parlementaire families presented in this article is drawn from a genealogical study of 799 magistrates who served as judges on the courts of the Parlement of Paris and as Masters of Requests from 1590 to 1650. Detailed data on these families covers four generations, stretching from the early 16th to the late 17th centuries. These family histories are drawn from a variety of sources, although the voluminous Collection d'Hozier housed in the Manuscript Room of the Bibliothèque Nationale was the primary source.

⁴Doucet, Les Institutions de la France, 1: 170-71.

⁵Families claiming nobility and exemption from direct taxation were required to produce evidence that at least two generations of their ancestors held office conveying noble status by degree. Thus a goodly number of genealogies began with the first ascendant in a position qualifying their family for noble status, a method that effectively ignores bourgeois origins. Philip du Puy de Clinchamps, La Noblesse, 3rd edition (Paris, 1968), pp. 41-46. More complete information on the rules concerning the acquisition of noble status is found in François Bluche and Pierre Duyré, L'Anoblissement par charges avant 1789 (Paris, 1962). See especially II: 19-25 for specific information on parlementaires.

⁶Roland Mousnier, La Vénalité des offices sous Henri IV et Louis XIII, 2nd edition (Paris, 1971), pp. 41-43.

⁷Marcel Marion, Dictionnaire des institutions de la France aux XVII^e et XVIII^e siècles (Paris, 1923), p. 405.

⁸A. Lloyd Moote, The Revolt of the Judges: The Parlement of Paris and the Fronde, 1643-1652 (Princeton, 1971), p. 43.

⁹Historical interest in this transformation has been keen during the past two decades, as noted by the abundant number of publications concerned with the French "general crisis" of the 17th century and the motives behind the popular revolts of the 17th century.

¹⁰J. Michael Hayden, France and the Estates General of 1614 (London, 1974), pp. 131-48.

¹¹Victor-Lucien Tapié, La France de Louis XIII et de Richelieu (Paris, 1967), pp. 13-14. Contemporary accounts of the Parlement's role in stabilizing the French government after the assassination of Henry IV is noted in: François-Annibal, maréchal d'Estrees, "Mémoires," contained in Collection des mémoires relatifs à l'histoire de France, ed. Claude Petitot (Paris, 1822), 16: 375-76; Nicolas Pasquier, Remonstrance très-humbles à la royne mère, régente en France... (Lyon, 1610) 11-13. There are two accounts of Parlement's activities in the period immediately after the assassination of Concini: Bibliothèque Nationale (hereafter B.N.), Manuscrit français (hereafter Ms. fr.), Collection Dupuy DCLVXI, "Relation exacte de ce qui s'est passé en la mort du Mareschal d'Ancre..." fols. 127-73 and Archives Nationales (hereafter A.N.), U. 936, "Ce qui se passa au Parlement après la mort du mareschal d'Ancre...". The actions of the judicial institution after the death of Louis XIII in 1643 are reviewed by Moote, The Revolt of the Judges, pp. 64-7.

¹²Outstanding differences between the Parlement of Paris and the French monarchy are treated in the books of Moote, Hayden, Maugis, Glasson, among others. Perhaps the most convenient survey of the issue is contained in J. H. Shennan's, The Parlement of Paris (Ithaca, 1968), pp. 222-77.

¹³Gerald A. Greenberger, "Lawyers Confront Centralized Government: Political Thought of Lawyers During the Reign of Louis XIV," The American Journal of Legal History, 23(April 1979): 158.

¹⁴Davis Bitton, The French Nobility in Crisis, 1560-1640 (Stanford, 1969), pp. 46-48.

¹⁵Alfred Curzon, "L'enseignement du droit français dans les universités de France aux XVIIe et XVIIIe siècles," Nouvelle revue historique de droit français et étranger, 43(1919): 211-18; François Isambert et al. eds., Recueil des anciennes lois françaises (Paris, 1821-29), 16: 149.

¹⁶Edouard Maugis, Histoire du Parlement de Paris de l'avènement des rois Valois à la mort d'Henri IV (Paris, 1913-16), 3: 324.

¹⁷B.N., Ms. fr., "Collection d'Hozier, Dossiers bleus (hereafter D.B.) " CCCXL (Guillon) and Ms. fr. nouvelle acquisition 11868.

¹⁸Philippe Ariès, Centuries of Childhood: A Social History of Family Life, trans. Robert Baldick (New York, 1962), pp. 198-99; Roland Mousnier, La Stratification sociale à Paris aux XVIIe et XVIIIe siècles (Paris, 1975), p. 102.

¹⁹Data on the age of magistrates coming to the courts of the Parlement of Paris can be found in a forthcoming article of this author entitled "Longevity of the Noblesse de Robe in the 16th and 17th Centuries," appearing in the Annales de démographie historique.

²⁰These statistics come from the quantitative study of the magistrates in the Parlement of Paris mentioned earlier.

²¹B.N., Ms. fr. nouvelle acquisition 9775, fol. 222; Maugis, Histoire du Parlement de Paris 2: 235.

²²Independent research by Richard Bonney over a slightly different period of time has reached the same conclusions on the political and social backgrounds of the Masters of Requests. See the statistical data in his Political Change in France under Richelieu and Mazarin (New York, 1978), p. 94.

²³Cummings, "Longevity of the Noblesse de Robe in the 16th and 17th Centuries," soon to appear in the Annales de démographie historique.

²⁴Bonney, Political Change in France under Richelieu and Mazarin, pp. 30-44.

²⁵Ibid., 115-17.

²⁶Claude de Bellièvre, Bishop of Lyon (1604-1612); Philibert de Brandon, Bishop of Périgueux (1648-1652); François de la Beraudière, Bishop of Périgueux (1614-1646); Guillaume Alléaume, Bishop of Riez (1616-1622); Nicolas Sanguin, Bishop of Senlis (1622-1653); Claude Mallier, Bishop of Tarbes (1648-1668); Michel Amelot, Bishop of Tours (1673-1687); Jean de la Croix, Bishop of Grenoble (1607-1619); Pierre Scarron, Bishop of Grenoble (1621-1668); Eustache le Clerc, Bishop of Coutances; Gabriel Boislevé, Bishop of Avranches (1651-1667); Pierre Habert, Bishop of Cahors (1627-1636); Dominique Séguier, Bishop of Auxerre (1632-1637), Meaux (1637-1659);

Guillaume Fouquet de la Varenne, Bishop of Angers (1616-1621); Paul Hurault de l'Hospital, Bishop of Aix (1599-1625); François Fouquet, Bishop of Bayonne (1637-1643), Agde (1643-1659); Claude de Gelas, Bishop of Agen (1609-1630). This information was compiled from the genealogical study of the parlementaire families and Pius Bonifacius Gams, Series Episcoporum Ecclesiae Catholicae (Graz, 1957).

²⁷ There were two noticeable patterns in filling the office of First President in provincial parlements: (1) selecting men directly from the courts of the Paris Parlement to fill vacancies, and (2) choosing representatives from the local robe elite who normally served on the Grand Conseil or the local parlement, who moved up to serve as Master of Requests, and who then replaced a family member as First President. In both cases, the candidates were usually knowledgeable of the Parisian political scene and they managed to maintain their network of contacts after their appointments.

²⁸ Comte Charles de Nicolay, Notes généalogiques [de la famille de Nicolay] (Avignon, 1959); M. Boislisle, Histoire de la maison de Nicolai (Nogent-le-Rotrou, 1873).

²⁹ Pierre Lefebvre, "Aspects de la 'fidélité' en France au XVII^e siècle: le cas des agents des princes de Condé," Revue historique 250(1973): 63-102. Such connections were prohibited by article 112 of the Ordonnance de Blois, "...portant défenses à tous vos officiers [magistrates of the Parlement] de prendre charge directement ou indirectement des affaires des princes, seigneurs, communautés, chapitres, et autres personnes y dénommées, soit inviolablement observé, sans que vosdits officiers en puissent tirer gages ou pensions, ni s'entremettre d'autres affaires que de Votre Majesté, sauf des reines et enfans de France..." cited in C. J. Mayer, Des Etats généraux et autres assemblées nationales... (Paris, 1789), 17: 306-07. The career of Pierre de la Porte contained in the Mémoires de M. de la Porte, Premier Valet de Chambre de Louis XIV (Genève, 1756) serves as a good example of the interdependencies of a relationship founded on fidélité.

³⁰ Georges Mongrédien, La journée des dupes, 10 novembre 1630 (Paris, 1961), p. 88; Pierre de Vaissière, "Les Marillac et Richelieu: La journée des dupes," Revue des questions historiques, 196 (April 1923): 257-89. See also Louis Batiffol, La journée des dupes (Paris, 1925).

³¹ Philippe Erlanger, Richelieu and the Affair of Cinq-Mars, trans. Gilles and Heather Cremonesi (London, 1971), pp. 184-92.

³² B.N., Ms. fr., "Collection d'Hozier, D.B." CDXXIII (Mangot).

³³Orest Ranum, Paris in the Age of Absolutism: An Essay (New York, 1968), pp. 51-67. Save for a four-year period, the lieutenant civil from 1596 to 1637 concurrently held the post of prévôt des marchands, the equivalent of a mayor for the city of Paris.

³⁴B.N., Ms. fr., "Collection d'Hozier, D.B." CCCLXVIII (Le Jay).

³⁵A.N., Ms., U. 935, "Délibération de la cour sur l'arrest fait de la personne du président Le Jay," pp. 406-19; Robert Arnaud d'Andilly, Journal inédit, 1614-1620 (Paris, 1857), pp. 100, 104-07; Paul Phélypeaux, sieur de Pontchartrain, "Mémoires concernant les affaires de France sous la régence de Marie de Médicis," in Petitot, ed., Collection des mémoires, 17: 97.

³⁶B.N., Ms. fr. nouvelle acquisition 9775, "Extraits des registres du Parlement," fols. 2-5; Arnaud d'Andilly, Journal inédit, p. 108.

³⁷"Ordonnance qui a servy le président Le Jay, du 25 avril 1616," in Louis Firmin Hervé Bouchitte, ed., Négociations, lettres, et pièces relatives à la conférence de Loudun (Paris, 1862), pp. 618-19.

³⁸Bonney, Political Change in France under Richelieu and Mazarin, pp. 113-14.

³⁹Ibid., pp. 101-03.

⁴⁰Gaston Zeller, "L'Administration monarchique avant les intendants: Parlement et gouverneurs," Revue historique 197 (1947):180-215.

⁴¹Bonney, op. cit., pp. 244-45.

⁴²For example, the average length of time a lay councilor on the courts of Inquest in the Parlement of Bourgogne between 1550 and 1700 was slightly over 25 years. Only 31% of the lay councilors in the Parlement of Paris remained 25 years or longer, while the average length of time a councilor served in his post was 18½ years. Data on the Parlement of Bourgogne was compiled from: Bibliothèque de Dijon, Ms. 1059, "L'Abbé Boullemier, Succession chronologique de tous les offices du Parlement de Dijon depuis son institution en 1477 jusqu'en 1771."

⁴³See Figure 1.

⁴⁴The cahier of the third estate at the Estates General of 1614-15 contained a recommendation that penalties be imposed against magistrates seen in places and in the company of persons of ill-repute. C. J. Mayer, Des états généraux et autres assemblées nationales, 17: 308-09. A ribald tale of a councilor's extra-legal exploits, found in Pierre de L'Estoile's Journal for June, 1605, has been related by Alfred Soman in his article, "Press, Pulpit, and Censorship in France before Richelieu," Proceedings of the American Philosophical Society 120(December, 1976): 446.

⁴⁵Maurice Lange, La Bruyère: Critique des conditions et des institutions sociales (Genève, 1970), pp. 119-25.

⁴⁶Shifts from the office of councilor-lay to councilor-cleric occurred for varied reasons. Certain magistrates made the change to improve their seniority in order to qualify for the Grand'Chambre since a larger percentage of clerical judges were represented on the court. Some certainly had sincere convictions and became ordained priests, especially during the Catholic Reformation in France. Others were automatically transferred with the office of President of Inquests. Some simply cannot be adequately explained. For example, Vincent Le Bret, the son of the magistrate-political theorist, Cardin Le Bret, purchased the post of councilor-lay on 23 May 1642. He became a councilor-cleric on 5 March 1654 and then switched again to become a councilor-lay in 1682. B.N., Ms. fr. "Collection d'Hozier, D.B." CXXXII (Le Bret).

⁴⁷Marion, Dictionnaire des institutions de la France, p. 425.

⁴⁸B.N., Ms. fr., "Collection d'Hozier, D.B." DCXXX (Thélis).

⁴⁹Complete genealogical information on the Doujat family is found in: Ibid., CCXLI (Doujat).

⁵⁰Ibid., CCXIX (Courtin).

⁵¹B.N., Ms. fr., "Collection d'Hozier, pièces originales" DXXXI (Broussel).

⁵²Moote, Revolt of the Judges, p. 110.

⁵³These magistrates were singled out by Moote (pp. 110, 362) for their radicalism and impact on the parlementaire Fronde. B.N., Ms. fr., "Collection d'Hozier, pièces originales" MCCXVII (Fouquet de Croissy); "dossiers bleus" CCCLXXVI (Laisne); "dossiers bleus" CDXLVII (Le Meusnier).

⁵⁴Bonney, Political Change in France Under Richelieu and Mazarin, p. 23.

⁵⁵Cf. footnote 5 for rules concerning noble status.

⁵⁶Greenberger, "Lawyers Confront Centralized Government," p. 154.

⁵⁷Albert Hamscher, The Parlement of Paris After the Fronde, 1653-1673 (Pittsburg, 1976), pp. 53-61.

⁵⁸Bonney, Political Change in France under Richelieu and Mazarin, pp. 243-45.

⁵⁹Complete genealogical information on the Verthamont family is contained in B.N., Ms. fr., "Collection d'Hozier, D.B." DCLXIV (Verthamon).

⁶⁰Planning the careers of sons and daughters was an important paternal responsibility. "The ducs de la Rochefoucauld had for a long time been accustomed to desire among them only one heir to receive all the property and wealth of the father; to marry off neither daughters nor younger sons, whom they considered worthless; and to throw them into the Order of Malta or the Church. The first duc de la Rochefoucauld made his second and fourth sons priests: the elder died as Bishop of Lectoure; the other was content with abbeys; the second of these was a chevalier of the Order of Malta. Of the six daughters whom he had, four were abbesses, the last one a nun. The third one, tougher than the others, absolutely desired a husband; they did not want to give her any." This entry, from the Memoires of the duc de Saint-Simon, was cited by Norman Ravitch, Sword and Mitre: Government and Episcopacy in France and England in the Age of Aristocracy (Hague, 1966), p. 80.

⁶¹B.N., Ms. fr., "Collection d'Hozier, D.B." CXV (Boucher d'Orsay).

⁶²Ibid., XI (Aligre).

⁶³Jack A. Clarke, "Administration and Culture in the Ancien Régime: The Bignon Dynasty," Societas 7(Summer, 1977): 193-207.

⁶⁴B.N., Ms. fr., "Collection d'Hozier, D.B." CCCLXIX (Jeannin).

⁶⁵Ibid., CLVIII (Castille).

⁶⁶Moote, The Revolt of the Judges, pp. 13-16; Greenberger, "Lawyers Confront Royal Justice," p. 163.